



SPOKANE POLICE DIVISION

CRAIG N. MEIDL CHIEF OF POLICE

Closed Case Summary

Complaint Number: C17-039 OPO Number: N/A

Date of Complaint: 7/10/2017

Allegation: Criminal and Policy/Standard Violations

Chain of Command Finding: Sustained

Final Discipline: Terminated

INCIDENT SYNOPSIS

A Spokane Police Officer was arrested for 4th Degree Assault Domestic Violence. Spokane County Investigators submitted a Charging Request to the Spokane County Prosecutor's Office for four counts of 4th Degree Assault DV and Unlawful Imprisonment DV. The Prosecutor's Office declined to file criminal charges in the case.

Internal Affairs completed an internal investigation for violations of policy stemming from the arrest and allegations of criminal conduct.

COMPLAINT

On the day of the arrest, Spokane County Sheriff's Deputies responded to the residence of an SPD officer regarding a Domestic Violence. Deputies arrested the officer for 4th Degree Assault Domestic Violence on his wife and booked him into jail. At the First Appearance hearing the following day the charge was dropped. With the Criminal Investigation complete, Internal Affairs began their investigation.

Internal Affairs interviewed the victim who said she had been assaulted by the officer employee on several occasions the year prior. The victim said that the officer pushed her to the ground causing injury. During another incident, the officer grabbed her by the neck and pinned her to a wall, causing injury. At another time, the officer grabbed her by the neck and punched her in the head.

The IA investigator reviewed the Lethality Assessment Program card with the victim and learned that the officer had threatened to kill her at one point. The victim provided a letter that the officer employee wrote her and that she considered a threat to her life. Given the new information on alleged criminal incidents, Internal Affairs contacted SCSO to see if they would like to investigate the allegations

further. SCSO completed an additional investigation and the IA investigator received a declination letter from the Prosecutor's Office.

The Prosecutor's Office said that they had probable cause for two counts of 4th Degree Assault but the matter was declined due to the difficulty in obtaining a guilty verdict given the victim had moved out of state, the victim did not want her daughter to testify in court, and there were no witnesses to the assaults.

INVESTIGATION

Internal Affairs reviewed the entire criminal investigation file and conducted further interviews. Internal Affairs was provided with all information that SCSO had used for their criminal investigation. Internal Affairs reviewed documentation of two incidences where the victim sought medical attention for injuries sustained from the employee officer. Internal Affairs also reviewed the letter that contained instructions on what to do if he and the victim were to die.

Internal Affairs interviewed the officer employee who provided alternative explanations of the injuries sustained by the victim. The officer employee denied threatening the victim. Regarding the letter, the officer admitted it was his writing but did not recall writing the letter. The letter was written a few days after he threatened the victim's life.

During the investigation, the officer had been advised to remain available for interviews and to notify the Chief's Office if he needed to leave town. While under investigation, Internal Affairs learned that the officer had gone out of state without prior approval.

ANALYSIS AND CONCLUSION

Allegations against the employee were sustained and he was terminated.

Standard 4.8: Members of the Spokane Police Department shall not engage in any activity which would create a conflict of interest or would be in violation of any law.

Standard 4.9: Members of the Spokane Police Department shall at all times conduct themselves in a manner which does not discredit the law enforcement profession or the Spokane Police Department.

Policy 340.3.5(x): Violating any felony statute or any misdemeanor statute where such violation may materially affect the employee's ability to perform official duties or may be indicative of unfitness for his/her position.

Policy 34.3.5(d): Disobedience or insubordination to constituted authorities including refusal or deliberate failure to carry out or follow any proper lawful order from any supervisor or person in a position of authority.